

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:18CR337-1
	:	
DESHAWN TYREAK DIXON	:	

FACTUAL BASIS FOR A GUILTY PLEA

NOW COMES the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and states that the factual basis for a guilty plea is as follows:

Just after midnight on February 16, 2017, High Point Police Department (HPPD) Officer D.S. Lamonds pulled over a 2017 Ford Escape with Pennsylvania plates. As Officer Lamonds approached the car, he could smell the strong odor of marihuana coming from inside the car. Before Officer Lamonds could reach the driver's side window, the car sped off. Given HPPD's department-wide chase policy, Officer Lamonds did not follow the car.

A few minutes later, a 911 caller told police dispatch that he had just witnessed a collision at the intersection of Guyer and Lassiter Streets. The 911 caller stayed at the scene to meet the police. The caller told responding officers that a dark colored SUV ran through the intersection and hit a

telephone pole, almost hitting his car in the process. After the wreck, the driver of the SUV drove it toward a church, Hallelujah Baptist Church, situated across the intersection. The witness relayed that a young black man with green pants got out of the car holding a black handgun and discarded it somewhere on the church property. Officers Lamonds and Cotter responded to the scene a short time later, as did an HPPD K-9 Officer. The police K-9 conducted an article search and alerted to a Glock, model 27, .40 caliber handgun near a tree trunk on the northeast side of the church property. The Glock was immediately confirmed to be one of the firearms stolen during the February 11, 2017, robbery of a Federal Firearms Licensee (FFL) located in High Point.

In the early afternoon of the next day, HPPD Detective Ward found the Ford Escape with Pennsylvania plates with front end damage abandoned near 2066 Deep River Road in High Point. A Department of Motor Vehicle check revealed that the Ford Escape was an Enterprise rental car. After seizing the car, searching it, and collecting fingerprint (and other) evidence, HPPD detectives learned that Enterprise leased the Ford Escape to J.J. In a non-custodial interview, J.J. told HPPD detectives that he gave the car to Dixon and his associate, Javaun Haynes, as payment for a drug debt J.J. owed Dixon.

Forensic analysis of certain fingerprints in the car completed by HPPD Fingerprint Examiner Shannon Smith established that Dixon left a fingerprint of his left middle finger on the pillar of the driver's side door of the Ford Escape. HPPD Crime Scene Techs also swabbed the Glock for traces of biological evidence. A March 20, 2018, report from the ATF Forensic Science Laboratory confirmed a CODIS hit – a 14-locus match between Dixon's recorded DNA profile and the DNA sample taken from the stolen Glock .40 caliber handgun. Dixon and Haynes were arrested together in Charleston, South Carolina on February 17, 2017.

Agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives visited Dixon at Avery Correctional Institution on April 26, 2018. Dixon was serving a custodial sentence for unrelated drug and firearm convictions he sustained in Guilford County earlier in 2017. The ATF agents confronted Dixon with the ATF laboratory analysis. Dixon provided a post-*Miranda* statement in which he admitted to purchasing the Glock .40 caliber pistol from someone named "K." Dixon also advised that he was aware from discovery provided in a state criminal matter that the Glock .40 was among those stolen in the robbery at the FFL.

As of February 16, 2017, Dixon had previously been convicted of Trafficking Heroin (2011) in Guilford County Superior Court. He received a

70-84 month sentence. Nexus examination of the stolen Glock, model 27, .40 caliber pistol revealed that it was manufactured in Georgia. Therefore, the Glock traveled in interstate commerce before Dixon possessed it.

This, the 30th day of October, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: Tiffany T. McGregor, Esq., and that a copy of the same was emailed to the U. S. Probation Office at Probationecf@ncmp.uscourts.gov.

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